

ON JULY 27, 2016 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 N 870 WEST HURRICANE, UT.

Members Present: John Johnson, Ken Bradshaw, Yovonda Hall, Bill Wilkey, Paul Farthing, Ralph Ballard and Ryan Cashin

Members Excused: Bob Petersen

Staff Present: Planning Director Toni Foran, Planning Assistant Cindy Beteag, and City Attorney Fay Reber

The meeting was called to order at 6:05 p.m. The Pledge of Allegiance was led by Yovonda Hall and Bill Wilkey offered the prayer. Roll call was taken. Yovonda Hall voted John Johnson in as acting chair until Chairman Cashin arrives. Paul Farthing seconded the motion. Motion carried with all Commissioners voting aye.

John Johnson opened the Public Hearing at 6:15 p.m. to take comments on the following zoning map change request;

1. A zone change from RA-1, Residential Agriculture 1 acre, to R-1-8, Single Family Residential, for 39.01 acres located east of 3320 West between 340 North and 400 North – a portion of H-3-1-31-3000

Shawn McNeill, Interstate Rock, explained they plan to subdivide 39.01 acres into 116 lots over 7 phases.

He stated they are requesting to change the zone from RA-1 to R1-8.

Fred Overcamp stated he lives on 400 North. He stated he understands that development is important and it needs to take place but this change would put a lot of houses on one street. He stated his biggest concern is there needs to be another access other than 400 North. He stated his objection would be completely overcome if another access was provided. He asked if it is normal to have 200 houses with only one access. Toni Foran stated she isn't sure how even the existing homes got approved without another access. She stated they discussed it in JUC and the Fire Chief sent her the standards that state if there is more than 30 houses on a single access the houses have to be sprinkled or another access must be provided. She explained they can't go back and require it on an existing development but it will have to be provided for this development. She stated it can be addressed with the plat or now. She wanted the applicants to know up front that it would be required. Paul Farthing asked if the plan was to extend the roads as other things are developed in the area. Donald Stratton stated yes. Mr. Overcamp mentioned at the top of 400 North they have very little water pressure. He stated this could make it worse or make it better if they put in more water lines. Chairman Cashin said this development should help with that problem. Mr. Overcamp stated he enjoys watching construction but the process for construction consists of phase 1 when they break up the lava, phase 2 they clear the lots and then phase 3 they bring the lava back for walls. He asked if they would haul all the rock back and forth on 400 North as they clear. Donald Stratton stated he doesn't see them hauling stuff off this property but if they had to they could access from a different way because they own the surrounding property.

Chairman Cashin arrived at 6:20 p.m.

Chairman Cashin closed the Public Hearing at 6:23 p.m. and the Public Meeting began.

2016-ZC-10 Consideration and possible recommendation to the City Council on a zoning map change request for 39.01 acres from RA-1, Residential Agriculture 1 acre, to R-1-8, Single Family Residential, for 39.01 acres located east of 3320 West between 340 North and 400 North – a portion of H-3-1-31-3000 - Stratton Brothers Partnership applicants

Yovonda Hall asked if the property below this property, closest to Walmart, was where the Assisted Living facility was going. Donald Stratton explained it was but there was two applications for assisted living centers at the same time and the market study showed it wouldn't work for two facilities. So they backed off because the other party wanted to move forward. He stated it is on hold unless the other party doesn't proceed with their facility. Ms. Hall stated the construction for that area won't provide an access for this development. Mr. Stratton stated it is not planned at this time but it sounds like it is an issue that will have to be resolved. He mentioned the problem is that there is an elementary school planned in this area so they aren't sure where the road needs to go. He stated it will have to be decided at plat. He stated there is a master planned road designed for this location. Chairman Cashin asked about the road down the side of the project and then there is a hammerhead. Mr. Stratton explained that is where the elementary is planned so he is thinking the roads would do a T. Ms. Foran stated the dirt road by the church wouldn't meet the proximity requirement. She explained if a second access is required it must be a distance apart equal to not less than one half the length of the maximum overall diagonal dimension of the area. Chairman Cashin asked if they are planning on doing it in phases. Mr. Stratton stated yes. Chairman Cashin questioned how they would regulate when the road is required. Ms. Foran stated there is already eighty eight units in Canyon Ridge so it would have to be put in in Phase 1. She stated the requirements for the road will depend on the water study. Chairman Cashin asked what their time line would be for this project. Mr. Stratton stated they only sell about ten homes per year and Park View put them in higher bracket because of all the lot work. This property is more level so they can get lower priced homes. He doesn't anticipate more than five or six homes per year in this development but they are still competing with Dixie Springs so they control the value of the lots. Yovonda Hall asked if the motion needed to include another access is required. Ms. Foran stated right now it's just a zone change. City Attorney Fay Reber stated the Commissioners could recommend approval of the zone change but include that the applicants be mindful that another access will be required. *Yovonda Hall motioned to recommend approval of application 2016-ZC-10 to the City Council with the findings; 1. The proposed amendment is compatible with the goals and policies of the general plan for single family residential areas. 2. The proposed amendment is in harmony with existing development. 3. The proposed amendment will affect adjacent property but the affect will not be harmful. Applicants need to be mindful a double access will be required. 4. Adequate public services would have to be developed by the applicant but are available in the area to make the connections. An additional access will be required to meet public safety requirements. John Johnson seconded the motion. The vote was as follows; John Johnson-Aye, Ken Bradshaw-Abstained, Yovonda Hall-Aye, Bill Wilkey-Aye, Paul Farthing-Aye, Ralph Ballard-Aye and Ryan Cashin-Aye. Motion carried.*

Introduction of new Planning Commission member Ken Bradshaw. Chairman Cashin stated Ken Bradshaw was asked to serve the remainder of Branden Anderson term. He welcomed him and stated they all look forward to working with him.

Approval of agenda: Bill Wilkey motioned to approve the July 27, 2016 agenda as posted. Paul Farthing seconded the motion. Motion carried with all Commissioners voting aye.

Commission business:

1. **Report on Council actions.** Toni stated on the Reeve zone change the Council had a long discussion on connectivity. The Council stated they need to provide access so the road can go through in the future. She stated they didn't discuss any of the issues with 650 South. Toni stated on the Church Zone change they allowed Mr. Zimmerman to speak and Mr. Demille to respond. Mr. Demille thought everyone would use 920 West. Dennis Church talked about selling the farm. Toni stated

they approved both zone changes. She stated on Frandsen zone change the Bradshaw family was there and they expressed that they would prefer not to have the high density. So the Council changed the RM-3 to RM-2 and approved the rest. She stated the Council approved all the plats. They put a condition on the Retreat at Sand Hollow that the golf course parcels had to be deeded to the City before they could record.

2. **Review of final version of conditional use changes.** Toni passed out the standards for conditional use permit showing the changes she made, copy attached to minutes. She explained she didn't update the charts yet because Commissioners need to agree on the standards first. She stated the highlighted items are the five things that were left as conditional when this was previously discussed. The other two are conditional but could be administered by staff. Ryan stated he is ok with administration approving those two. Toni stated she wanted to discuss greater height and sizes than permitted by the code. She suggested reviewing residential and commercial and setting a standard height. John stated he thought it should be left as it is. Ryan asked if any residential accessory building had been taller than the main house. Toni stated she didn't think so. She stated if someone does an accessory building two feet from the property line it would block the neighbors view at the allowed twenty feet. Ryan stated there could be a big issue for surrounding property owners so because of that he thinks they should keep the standard the same so each one can be reviewed or make it a set standard height and not allow the option of greater height. Ralph stated he agrees with not allowing accessory buildings to be taller than the main house because if it was on a separate lot it would be taller anyway. Toni suggested changing it to 25' and not allowing the greater height by conditional use. She questioned if this is really a conditional use under the set standards. Ryan agreed. Toni stated she is not sure what the grounds would be to deny. She mentioned the ordinance also allows a greater height for the main structure by conditional use. Yovonda stated right now most people request 1 or 2 'over the allowed height but if you change it to 25' they will still come in at 1 or 2' over. Toni stated if the garage is attached it can be up to 35'. She stated the State code questions if the accessory building has more impact than the main building. She stated if it is only 2' from the property line than it is a bigger impact. Ryan suggested allowing five or ten feet below the main building maximum height for the accessory. Toni read the current standard, maximum height for main dwelling is thirty five feet and twenty feet for accessory buildings. Commissioners discussed setting standards that the maximum height can't exceed a certain height based on where the accessory building is located in the yard, Ryan stated they need to make it as simple as possible to allow people to use their property but worries about the surrounding property owner rights if it blocks their view. Yovonda stated Commissioners can't respond to public clamor of the neighbors on a conditional use. Ryan stated look at heights based on location. Yovonda stated that is why you would want it as a conditional use. Ryan stated he would prefer doing location standards and eliminate the conditional use permit. Yovonda stated where the house is situated will determine where the accessory can be. Toni asked if the Commissioners wanted to leave it as it is. Ryan stated yes and come up with standards. John agreed. Toni stated they can look at noise, buffering and if it is indoor or outdoor as standards for a Reception Center. She stated they couldn't find any definitions for Agriculture Business so it needs to be looked at. Public stable standards could be for fly control, dust, smell, and parking for customers. Toni stated she doesn't know what type of conditions would be set for Assisted Living. The State hasn't put Assisted Living under the disability act. Toni stated on the second page she made changes to allow the two different types of review, Planning Commission or administrative. She stated she didn't like the language on the approval standards on page 3. She read the proposed changes. She explained #2 is where the standards would apply when they write new ones. She stated 4 (a) isn't a good standard for a conditional use and (e) economic impact doesn't work with a conditional use permit. Yovonda stated if it affects a neighboring business it would be economic. Toni stated that would be aesthetic but questioned if that was allowed. Yovonda asked if the state has standards. Toni stated yes, she will review them further.

3. **Schedule for City initiated zone changes.** Toni stated there are two City initiated zone changes, the South fields and downtown. She mentioned there is one property owner in the South Fields that wants it to stay A-5 and put it in agriculture protection. She stated the City will send a letter and find out what the property owners want before the Public Hearing is advertised. Toni asked if anyone had had a chance to walk around downtown to see what area should be rezoned. It was decided to put this zone change off until it was cooler so the Commissioners could walk the area.
4. **Update on projects.** Toni stated next meeting Coral Springs Condo is back for an amended plat and a conditional use permit for greater height. It will be four story with underground parking. Fire code was discussed. Toni stated she is worried about the new hotel because it was proposed to have access onto 100 North but they built a retaining wall. Toni stated Peregrine Pointe wants to get more plats recorded.

Toni asked the Commissioners to let her know who is going to the Fall Conference as soon as possible.

Approval of minutes: Yovonda Hall motioned to approve the July 14, 2016 minutes. Paul Farthing seconded the motion. The vote was as follows; John Johnson-Aye, Ken Bradshaw-Abstained, Yovonda Hall-Aye, Bill Wilkey-Abstained, Paul Farthing-Aye, Ralph Ballard-Aye and Ryan Cashin-Aye. Motion carried.

Meeting adjourned at 7:18 p.m.